

Regular meeting of the City Council : Austin ,Texas, Sept 7th 1911.

The Council was called to order by the Mayor: Roll called:

Present Mayor Wooldridge, Councilmen Bartholomew, Hart, Lookridge & Powell 5

Absent none.

The minutes of the last regular and subsequent recessed meetings were read and approved.

The regular order of business was suspended ,and the following protest from Citizens was read,

Austin, Texas, Sept 7th 1911.

Hon Mayor and City Council,
of Austin, Texas.

gentlemen :

We, the undersigned property owners, respectfully protest against the paving of Brazos street, between 4th and 6th streets, at this time, as some of us have already been heavily taxed for paving on 4th, 5th and 6th streets, and ~~and the~~ ~~corner~~ ~~between~~ ~~4th~~ ~~and~~ ~~6th~~ ~~streets,~~ ~~and~~ ~~the~~ ~~alley~~ ~~between~~ ~~4th~~ ~~and~~ ~~6th~~ ~~streets,~~ and others are not at present, financially able to pay for paving in front of their property. State, County and City taxes will also soon be due and payable, and under the circumstances, and as there is no urgent necessity for paving Brazos street at this time, we request that said paving be put off or postponed for at least one year from this date.

(Signed)

.Mrs Theresa Martin,
By A F Martin, Agent,
Mrs J H Pope per J B Pope
Monroe Miller ,Estate,
per Jhn W Robinson Jr

F E Jones

A F & J A. Martin

Mrs. Mina Geyer

Mrs M J Hamilton

Mrs M H Mills

Mrs L H Maloney

R J Brackenridge,
By L M Layton, Agent

No action taken on this petition.

The Mayor presented the following petition from Citizens:

To the Hon Mayor and Councilmen of the City of Austin :

Gentlemen :

We the undersigned citizens of the tenth Fire ward residing in the vicinity of 3rd and 4th streets and Red River and Neebos streets, respectfully call your attention to the great amount of dust, smoke and soot with which this neighborhood is afflicted during the operation of the Bitulithic paving plant, that the dust, smoke and soot coming from this plant while in operation is extremely disagreeable and unhealthy, and therefore request that the Bitulithic Co be required to make provision for confining this dust and smoke and soot to their own premises, or that they remove the plant to some place where same will not interfere with the health and comfort of Citizens. Respectfully urging your early consideration.

Signed by Mrs Mary Bengener and 11 others.

The petition was taken under advisement to be acted upon later.

The Mayor laid before the Council the following communication from the City Attorney.

The Hon City Council ,

Austin, Texas.

Gentlemen :

With reference to the expenses incurred in holding therecent electionfor the purpose of obtaining the consent of the voters to the passage of an ordinance granting a franchise to William D Johnson, I respectfully call your attention to Article 11, Chapter 15 of the City ordinances, which provides that the expenses of an election held for the purpose of obtaining the approval of the qualified electors of a franchise, shall be borne by the applicant for such franchise.

I therefore respectfully submit that Wm D Johnson shouldbe held responsible for the expenses of said election.

Very truly yours,

J Bouldin Rector, City Attorney.

The Communication was ordered filed.

Reports of City Officers:

The Mayor laid before the Council the reports of the Treasurer, Assessor & Collector, Health Officer , Asst Health Officer, Matron Hospital, and the Plumbing Inspector, which were read and ordered filed.

The Mayor laid before the Council an ordinance providing for an enlarged ,more efficient and economical Water, Light and Power Plant for the City of Austin, and to that end granting to William D Johnson and his assigns the franchise to erect and maintain a dam across the Colorado River at or near the location of the dam formerly erected across said river by the City of Austin; also the franchise and Privilege to erect and maintain a reservoir and power house and other appurtenances to said dam; also the franchise to overflow the lands formerly overflowed by the back water of said dam; providing for the protection and indemnity of said William D Johnson and his assigns against all damages or claims on account of overflowing such lands as may be overflowed by the erection of said dam; providing for the transfer and delivery to said William D Johnson and his assigns ,to be used in the construction of said dam ,of material formerly contained in said dam ,and all materials and property owned and formerly used by said City of Austin in the erection and operation of its water power plant and not used by it in the operation of its steam power plant; providing for the construction and delivery to the said City of Austin by said William D Johnson and his assigns of a dam ,appurtenances, reservoir, power house, transmission line, equipment of operating machinery, and all accessories thereto; providing for the furnishing to the said City of Austin by the said William D Johnson and his assigns of the entire water power produced by said dam; providing for the maintenance of said dam and appurtenances, reservoir, power house, and tail race, by the said William D Johnson and his assigns; providing for certain money installments and power rentals to be paid to the said William D Johnson and his assigns by the City of Austin ; and providing for the payment by and charging of said William D Johnson and his assigns with certain liquidated damages in case of breaches of the contract to be entered into in pursuance of this ordinance.

The ordinance was read the third time and passed by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Lockridge & Powell 5

Nays none.

Affidavit of Publisher.

The State of Texas
County of Travis.

Before me Hilda Wallace a Notary Public in and for said County and State, on this day personally appeared Glenn Pricer, who being by me duly sworn, deposes and says on oath that he has published the ordinance as per copy attached, in the Daily Tribune, a newspaper published and regularly printed in the County of Travis and State once a day for 4 days on the following days to-wit;

*Opinion City atty
on expenses Election
Dam franchise*

Dam Ordinance

Aug 13, 16, 17, 18, 1911.

Glenn Pricer.

Sworn to and subscribed before me this 2nd day of Sept A D 1911.

Seal,

Hilda Wallace, Notary Public,

Travis County, Texas.

Austin, Texas, August 10th 1911.

I hereby certify that I have this day posted an election proclamation at the following named places in the City of Austin, Texas, to-wit:

1st Ward, South Austin Fire Hall,

2nd Ward, The Carrollton House, 210 West 6th street,

3rd Ward, City Hall,

4th Ward, Volz's Store,

5th Ward, Wellmer's Store,

6th Ward, County Court House,

7th Ward, Tenth Ward Fire Hall.

The aforesaid election proclamation being an election proclamation ordering an election to be held in the City of Austin, Texas, August 30th 1911 to obtain the authority and approval of the qualified electors of the City of Austin for the passage of an ordinance by the City Council of the City of Austin, granting certain franchises to Wm D Johnson and his assigns, for the purpose of providing an enlarged and more efficient and economical Water, Light and Power Plant for the City of Austin, Texas.

(Signed) S A Moore, Police Officer of

Austin, Texas.

our
Counsellman Bartholomew presented the following reasons for his vote on the ordinance accepting the proposition of William D Johnson, for rebuilding the dam.

I vote for the ordinance granting to Wm D Johnson a franchise to rebuild the dam across the Colorado river for these reasons:

1st. The people of Austin want a dam.

2nd. I believe the contract entered into by this ordinance a good one, and as favorable to the City as can be obtained.

If the Water, Light and Power Plant is properly managed in the future, I consider this a good business proposition.

The City of Austin is guaranteed 50% more power than it has used the past year and all surplus power that may be obtained from the lake to be created by the dam.

This additional power will soon be required to furnish water, light and power to the people of Austin, Under these circumstances the power to run the plant will be as cheap, if not cheaper, than that furnished by steam.

In the meantime the City has the lake formed by the dam and at the end of the contract will have dam, power and lake without cost.

It may appear that the semi-annual payments for power are large, but the contract-taker takes all risks, the City none.

The plans and specifications have been approved by eminent Engineers, and are presumed to be good, and safe as to floods. However as a novice, I give it as my opinion that the gates on top of the dam, and the railroad and roadway to be erected above the dam, will not stand against the drift that comes down the Colorado river at times.

The drift passing down the river this day, on a ten foot rise, could not be held by an ordinary boom, nor be passed through these gates by the work of all men that could find place on the roadway to work the drift through the gates.

*Counsellman
Bartholomew
presented for his
Dam Ordinance*

- This defect, if it be one, can be remedied by the contractor, and I venture the prediction it will be done.

(signed)

E C Bartholomew.

- The Mayor laid before the Council a communication from the City Engineer in regard to the construction of Sidewalks and Curbing on streets of the City, which was read, but no action taken.

*Bill K. Johnson
vs. Nalle & Scarborough
referred to City
Att'y for collection*

The Mayor laid before the Council accounts of Knox T Johnson against E M Scarborough and the Est of Jos Nalle for sidewalk work on 5th & 8th streets, which was read and referred to the City Attorney for collection, and if not paid without, to bring suit for same.

*H & T Co. Ca
Switch*

The Mayor laid before the Council an ordinance granting the Houston and Texas Central Railroad Company the right and requiring said company to construct, maintain and operate a railroad Switch track or turn out upon and across certain streets in the City of Austin, subject to certain conditions.

The ordinance was read the first time and the rule suspended and it placed on its second reading by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Lockridge & Powell 5
Nays none.

The ordinance was read the second time and laid over until the next meeting.

The Mayor laid before the Council the following resolution :

Transfer fund

Be it resolved by the City Council of the City of Austin :

That sixty two and 50/100 (\$ 62.50) dollars be and the same is hereby transferred from the concert fund at Wooldridge Park for the current year, to the miscellaneous Park fund, to re-imburse a charge of \$ 62.50 made in error against the miscellaneous Park fund by reason of two moving picture entertainments given at Wooldridge Park on the 18th and 31st of August 1911.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Lockridge & Powell 5
Nays none.

The Mayor laid before the Council the following resolution :

Be it resolved by the City Council of the City of Austin :-as follows:

*Resolution
authorizing
redemption of property
sold for taxes*

Section 1. That the owner or owners of real estate situated in the City of Austin, Texas, which real estate has heretofore been sold to the City of Austin for taxes due thereon, be and they are hereby granted the privilege of redeeming such property at any time prior to January first 1912, by paying to the Assessor & Collector of Taxes of the City of Austin, Texas, the amount of all taxes due, interest thereon, Court costs and all penalties, as prescribed by the laws of the State and the ordinances of this City.

Section 2. That when such payment or payments are made in full, as is provided in Section 1 hereof, the Mayor be and he is hereby authorized to execute, at the expense of the owner or owners, a release on the part of the City of and to all claims against the property redeemed.

Section 3. That the City Attorney be instructed to notify all such parties owning property in arrears for taxes and sold to and purchased by the City of Austin that, if the same is not redeemed as provided herein, he shall, on and after January 1st, 1912, proceed to take possession of the same in accordance with law and for and in behalf of this City.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Lockridge & Powell 5
Nays none.

Councilman Powell offered the following resolution :

Be it resolved by the City Council of the City of Austin :

- (1) That it hereby orders the paving ,with wood blocks,of the alley between Congress Avenue and Colorado street and between fourth and fifth streets in this City ,and that it hereby orders the paving, with wood blocks of the alley between Congress Avenue and Brazos street and between fourth and fifth street in this City
- (2) That the Superintendent of Streets and Public Improvements is hereby authorize and instructed to adopt the methods prescribed by ordinance to make this resolution effective.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Lockridge & Powell 5
Nays none.

The Mayor laid before the Council a petition signed by a large number of Citizens asking the Council to reconsider its action in accepting the resignation of Councilman Lockridge, which was read .

Mayor Wooldridge moved that the petition be respectfully and Courteously received, which motion prevailed.

The Council then recessed subject to call of the Mayor.

Saturday Sept 9th 1911.

The Council was called to order by the Mayor with all members present.

On motion Councilman Bartholomew was granted leave of absence for 30 days from Sept 11th 1911, by the following vote :

Yeas Mayor Wooldridge, Councilmen Hart , Lockridge & Powell 4

Not voting Councilman Bartholomew.

The Council then adjourned.

Joseph Johnson
City Clerk.

*Alley between
Congress Ave & Colorado
& Congress Ave & Brazos
Ordered*

*Petition to
withdrawing resignation
Councilman Lockridge*

*Councilman
Bartholomew
Leave Absence*

property, the amount to be assessed against each of them and the amounts per front foot to be assessed being as follows, to wit:

Name of owner,	Lot No	Block No	No front feet,	Amount per front foot,	Total Cost
Estate of Jos Nalle deceased, Sallie J Nalle 102 2/3 ft					
Ind Executrix,	7,	70,	102 2/3	\$.7.59 1/3,	\$ 779.58
Estate of J M Litten deceased Mary L Litten , 145 2/3 ft of					
Ind Executrix	12 ,	.83,	145 2/3,	. 7.59 1/3,	1,106.09
Estate of Geo W Sampson, Dec'd, Mrs M G Sampson,					
Ind Executrix, .	6,	70,	160, 1/3,	. 7.59 1/3 ,	1,214.93,
T O & J W Johnson,	1,	83,	160,	7.59 1/3 ,	1,214.93,
Estate of Jos Nalle dece'd , Sallie J Nalle,					
Ind Executrix, 80 ft of					
	7,	69,	80,	7.59 1/3,	607.47,
Frank Litten W 14 1/3 ft	12,	83,		7.59 1/3,	108.84,

2nd,. That this resolution shall take affect from and after its passage.

The Mayor laid before the Council an ordinance levying an assessment for the payment of part of the cost of improving seventh street in the City of Austin from its intersection of Colorado street to its intersection of Brazos street and to fix a charge and lien against the owners of property and their property abutting said street and providing for the collection and enforcement thereof. The ordinance was read the first time.